Doc. 5

United States District Court

DISTRICT OF NEW JERSEY_

SUMMONS IN A CIVIL ACTION

MARK GOLDING, on behalf of himself and all others similarly situated,

Plaintiff,

07CU 1521(NLH)

VS.

MENU FOODS LIMITED; MENU FOODS INC.; MENU FOODS MIDWEST CORPORATION; MENU FOODS INCOME FUND; MENU FOODS SOUTH DAKOTA, INC.; and MENU FOODS HOLDINGS, INC.; and DOES 1 through 100, inclusive.

Defendants.

TO: (Name Address of Defendant)

MENU FOODS LIMITED 8 Falconer Drive Mississauga, ON L5N 1B1 Canada

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

Joseph J. DePalma Lite DePalma Greenberg & Rivas, LLC Two Gateway Center, 12th Floor Newark, New Jersey 07102

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

CLERK

Attorney or Party without Attorney:					For Court Use Only	
Joseph J. DePalma, Esq.						
Lite DePalma Greenberg & Rivas, LLC						
Two Gateway Center, 12th Floor						
Newark, NJ 07102						
Telephone No: 973-623-3000 FAX.	No: 973-623-0858					
•		Ref. No. o	r File No.:			
Attorney for: Plaintiff						
Insert name of Court, and Judicial District and Brai	nch Court:					
United States District Court - District of	New Jersey	-				
Plaintiff: Mark Golding, et al.						
Defendant: Menu Foods Limited, et al.						
AFFIDAVIT OF SERVICE	Hearing Date:		Time:	Dept/Div:	Case Number:	
Summons/Complaint				.]	07CV1521(NLH)	
1. At the time of service I was at least 18	vears of age and no	ot a party	to this ac	tion.		

- 2. I served copies of the Summons in a Civil Action; Class Action Complaint; Civil Case Cover Sheet; Certificate of Non-Arbitrability

3. a. Party served:

Menu Foods Limited

b. Person served:

Mark Wiens, Chief Financial Officer

4. Address where the party was served:

8 Falconer Drive

Mississauga, Ontario, CAN L5N 1B1

5. I served the party:

- a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Mon., May. 14, 2007 (2) at: 4:00PM
- 7. Person Who Served Papers:

a. Richard Hoeg

b. Class Action Research and

Litigation Support Services, Inc. 6543 Kite Hawk Place Penryn, CA 95663

c. (866) 663-9590, FAX (866) 663-4955

Fee for Service:

I Declare under penalty of perjury under the laws of the State of New Jersey that the foregoing is true and correct.

MAY 17 2007

(Date)

8. SUBSCRIBED AND SWORN to me, a Notary Public in and for said County and State.

Greg Borg, a Commissioner, etc., City or My Commission Expire Toronto, for Borg Process Servers Inc., and for Process Serving and Tenant Protection Act, 1997 matters satisficans/Complaint

Expires March 14, 2009.

United States District Court

DISTRICT OF NEW JERSEY_

SUMMONS IN A CIVIL ACTION

MARK GOLDING, on behalf of himself and all others similarly situated,

Plaintiff,

07cv1521(NLH)

VS.

MENU FOODS LIMITED; MENU FOODS

INC.; MENU FOODS MIDWEST CORPORATION; MENU FOODS INCOME FUND; MENU FOODS

SOUTH DAKOTA, INC.; and MENU FOODS HOLDINGS,

INC.; and DOES 1 through 100, inclusive.

Defendants.

TO: (Name Address of Defendant)

MENU FOODS INCOME FUND 8 Falconer Drive Mississauga, ON L5N 1B1 Canada

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

Joseph J. DePalma Lite DePalma Greenberg & Rivas, LLC Two Gateway Center, 12th Floor Newark, New Jersey 07102

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

WILLIAM T. WALSH

BY DEPUTY CLERK

CLERK

Attorney or Party without Attorney:					For Court Use Only	
Joseph J. DePalma, Esq.					1	
Lite DePalma Greenberg & Rivas, LLC					Pose-	
Two Gateway Center, 12th Floor						
Newark, NJ 07102						
Telephone No: 973-623-3000 FAX.	No: 973-623-0858					
		Ref. No. or File	No.:			
Attorney for: Plaintiff						
Insert name of Court, and Judicial District and Brai	ich Court:					
United States District Court - District of	New Jersey					
Plainiss: Mark Golding, et al.						
Defendant: Menu Foods Limited, et al.						
AFFIDAVIT OF SERVICE	Hearing Date:	Time:	D	ept/Div:	Case Number:	
Summons/Complaint					07CV1521(NLH)	
1. At the time of service I was at least 18	vears of age and no	ot a party to thi	s action.			

- 2. I served copies of the Summons in a Civil Action; Class Action Complaint; Civil Case Cover Sheet; Certificate of Non-Arbitrability

3. a. Party served:

Menu Foods Income Fund

b. Person served:

Mark Wiens, Chief Financial Officer

4. Address where the party was served:

8 Falconer Drive

Mississauga, Ontario, CAN L5N 1B1

5. I served the party:

- a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Mon., May. 14, 2007 (2) at: 4:00PM
- 7. Person Who Served Papers:

a. Richard Hoeg

b. Class Action Research and Litigation Support Services, Inc. 6543 Kite Hawk Place Penryn, CA 95663

c. (866) 663-9590, FAX (866) 663-4955

Fee for Service:

I Declare under penalty of perjury under the laws of the State of New Jersey that the foregoing is true and correct.

MAY 17 2007

(Date)

8. SUBSCRIBED AND SWORN to me, a Notary Public in and for said County and State.

My Commission Expires Greg Borg, a Commissioner, etc., City of

Toronto, for Borg Process Servers Inc. and for Process Serving and Tenassimmons/Complaint Protection Act, 1997 matters only.

Expires March 14, 2009.

Public))

United States	District	Court
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DISTRICT OF NEW JERSEY_

SUMMONS IN A CIVIL ACTION

MARK GOLDING, on behalf of himself and all others similarly situated,

Plaintiff,

07cu 1521(NCH)

VS.

MENU FOODS LIMITED; MENU FOODS INC.: MENU FOODS MIDWEST CORPORATION; MENU FOODS INCOME FUND; MENU FOODS SOUTH DAKOTA, INC.; and MENU FOODS HOLDINGS,

INC.; and DOES 1 through 100, inclusive.

Defendants.

TO: (Name Address of Defendant)

MENU FOODS INC. 9130 Griffith Morgan Lane Pennsauken, NJ 08110-3211

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

Joseph J. DePalma Lite DePalma Greenberg & Rivas, LLC Two Gateway Center, 12th Floor Newark, New Jersey 07102

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

4/5/07

IAM T. WALSH

CLERK

BY DEPUTY CLERK

Attorney or Party without Attorney:			_	For Court Use Only
Joseph J. DePalma, Esq.				
Lite DePalma Greenberg & Rivas, LLC				
Two Gateway Center, 12th Floor				
Newark, NJ 07102				
Telephone No: 973-623-3000 FAX No	o: 973-623-0858			
-1.4.400	Rej	f. No. or File No.:		
Attorney for: Plaintiff				
Insert name of Court, and Judicial District and Brand				
United States District Court - District of I	New Jersey			
Plaintiff: Mark Golding, et al.				
Defendant: Menu Foods Limited, et al.				
AFFIDAVIT OF SERVICE	Hearing Date:	Time:	Dept/Div:	Case Number:
Summons/Complaint				07CV1521(NLH)
3. a. Party served: b. Person served: 4. Address where the party was served:	Corporation 820 Bear Ta	hillips, Person n Trust Compa		Accept Legal Process
 I served the party: a. by personal service. I personally de process for the party (1) on: Mon., M 			2 to the party or	person authorized to receive service of
7. Person Who Served Papers:			for Service:	
a. Douglas Boyle				perjury under the laws of the State of
b. Class Action Research &		New Jersey	that the forego	ing is true and correct.
Litigation Support Services, Inc.			\cap	ρ Λ
6543 Kite Hawk Place	. 1 المر . 2 سين.		1.17	(K) (/)
Penryn, CA 95663	5/1810	<u> </u>	ux-	coyer
c. (866) 663-9590, FAX (866) 663-495	55 (Date)			(Signatube)

8. SUBSCRIBED AND SWORN to me, a Notary Public in and for said County and State.

My Commission Expires_ (Date)

(Notary Püblic))

ROBERT CIFELLI Notary Public of New Jersey My Commission Expires Oct. 6, 2008

United States	District	Court
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DISTRICT OF NEW JERSEY__

SUMMONS IN A CIVIL ACTION

MARK GOLDING, on behalf of himself and all others similarly situated,

Plaintiff,

07cv 1521(NLH)

VS.

MENU FOODS LIMITED; MENU FOODS INC.; MENU FOODS MIDWEST CORPORATION; MENU FOODS INCOME FUND; MENU FOODS SOUTH DAKOTA, INC.; and MENU FOODS HOLDINGS,

INC.; and DOES 1 through 100, inclusive.

Defendants.

TO: (Name Address of Defendant)

MENU FOODS HOLDINGS, INC. 8 Falconer Drive Mississauga, ON L5N 1B1 Canada

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

Joseph J. DePalma Lite DePalma Greenberg & Rivas, LLC Two Gateway Center, 12th Floor Newark, New Jersey 07102

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

WILLIAM T. WALSH

DATE

CLERK

BY DEPUTY CLERK

Attorney or Party without Attorney:				For Court Use Only
Joseph J. DePalma, Esq.				
Lite DePalma Greenberg & Rivas, LLC				
Two Gateway Center, 12th Floor	•			
Newark, NJ 07102				
Telephone No: 973-623-3000 FAX	No: 973-623-0858			
	Ref.	No. or File No.:		T-7
Attorney for: Plaintiff				
Insert name of Court, and Judicial District and Brai	nch Court:			
United States District Court - District of	New Jersey			
Plaintiff: Mark Golding, et al.				and the state of t
Defendant: Menu Foods Limited, et al.				
AFFIDAVIT OF SERVICE	Hearing Date:	Time:	Dept/Div:	Case Number:
Summons/Complaint			1	07CV1521(NLH)
3. a. Party served: b. Person served:		Holdings, In la, Person Au		ept Legal Process
4. Address where the party was served:	The Corpora 1209 Orang Wilmington		mpany	
 I served the party: a. by personal service. I personally deprocess for the party (1) on: Mon., No. 			2 to the party or	person authorized to receive service of
7. Person Who Served Papers:	`		for Service:	
a. Lou Matos				perjury under the laws of the State of
b. Class Action Research &		New Jersey	that the foregoi	ing is true and correct
Litigation Support Services, Inc.			LX	. / X / /
P O Box 740	5-29-0	7	Localal	Y1 <i>1111</i> 144
Penryn, CA 95663	·	. / /	1/	

DENNIS SCHOFIELD NOTARY PUBLIC STATE OF DELAWARE My Commission Expires Nov. 24, 2007

8. SUBSCRIBED AND SWORN to me, a Notary Public in and for said County and State.

My Commission Expires 11/24/07

c. (866) 663-9590, FAX (866) 663-4955

AFFIDAVIT OF SERVICE Summons/Complaint

United States	District	Court
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Document 5

DISTRICT OF NEW JERSEY

SUMMONS IN A CIVIL ACTION

MARK GOLDING, on behalf of himself and all others similarly situated,

Plaintiff,

07cV1521(NLH)

VS.

MENU FOODS LIMITED; MENU FOODS INC.: MENU FOODS MIDWEST CORPORATION; MENU FOODS INCOME FUND; MENU FOODS SOUTH DAKOTA, INC.; and MENU FOODS HOLDINGS,

INC.; and DOES 1 through 100, inclusive.

Defendants.

TO: (Name Address of Defendant)

MENU FOODS MIDWEST CORPORATION 1400 E Logan Ave Emporia, KS, 66801-6822

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

Joseph J. DePalma Lite DePalma Greenberg & Rivas, LLC Two Gateway Center, 12th Floor Newark, New Jersey 07102

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

CLERK

Attorney or Party without Attorney:				For Court Use Only
Joseph J. DePalma, Esq.	V			
Lite DePalma Greenberg & Rivas, LLC				
Two Gateway Center, 12th Floor				
Newark, NJ 07102				
Telephone No: 973-623-3000 FAX N	/o: 973-623-0858			
m. 1 .100	Re	f. No. or File No.		
Attorney for: Plaintiff				
Insert name of Court, and Judicial District and Bran				
United States District Court - District of	New Jersey			
Plaintiff: Mark Golding, et al.				
Defendant: Menu Foods Limited, et al.				
AFFIDAVIT OF SERVICE	Hearing Date:	Time:	Dept/Div:	Case Number:
Summons/Complaint				07CV1521(NLH)
3. a. Party served: b. Person served:		s Midwest Co ala, Person Au		pt Legal Process
4. Address where the party was served:	1209 Orang		ompany	
, ,	1209 Orang		ompany	
 Address where the party was served: I served the party: a. by personal service. I personally deprocess for the party (1) on: Mon., N 	1209 Orang Wilmington elivered the documents	ge Street n, DE 19801 listed in item		person authorized to receive service o
5. I served the party: a. by personal service. I personally de	1209 Orang Wilmington elivered the documents	ge Street 1, DE 19801 listed in item 26PM Fee	2 to the party or for Service:	
 I served the party: a. by personal service. I personally deprocess for the party (1) on: Mon., N 	1209 Orang Wilmington elivered the documents	ge Street 1, DE 19801 listed in item 26PM Fee I Declare u	2 to the party or for Service: nder penalty-of	perjury under the laws of the State of
 5. I served the party: a. by personal service. I personally deprocess for the party (1) on: Mon., N 7. Person Who Served Papers: a. Lou Matos b. Class Action Research & 	1209 Orang Wilmington elivered the documents	ge Street 1, DE 19801 listed in item 26PM Fee I Declare u	2 to the party or for Service: nder penalty-of	
 5. I served the party: a. by personal service. I personally deprocess for the party (1) on: Mon., N 7. Person Who Served Papers: a. Lou Matos 	1209 Orang Wilmington elivered the documents	ge Street 1, DE 19801 listed in item 26PM Fee I Declare u	2 to the party or for Service: nder penalty-of	perjury under the laws of the State of

DENNIS SCHOFIELD NOTARY PUBLIC STATE OF DELAWARE My Commission Expires Nov. 24, 2007

(Signature)

8. SUBSCRIBED AND SWORN to me, a Notary Public in and for said County and State.

My Commission Expires_

c. (866) 663-9590, FAX (866) 663-4955

(Date)

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedures

United States District Court

DISTRICT OF NEW JERSEY__

SUMMONS IN A CIVIL ACTION

MARK GOLDING, on behalf of himself and all others similarly situated,

0700 1521(NLH)

Plaintiff,

VS.

MENU FOODS LIMITED; MENU FOODS INC.; MENU FOODS MIDWEST CORPORATION; MENU FOODS INCOME FUND; MENU FOODS SOUTH DAKOTA, INC.; and MENU FOODS HOLDINGS,

INC.; and DOES 1 through 100, inclusive.

Defendants.

TO: (Name Address of Defendant)

MENU FOODS SOUTH DAKOTA, INC. 630 North Derby Lane North Sioux City, SD 57049

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

Joseph J. DePalma Lite DePalma Greenberg & Rivas, LLC Two Gateway Center, 12th Floor Newark, New Jersey 07102

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

WILLIAM T. WALSH

DATE

CLERK

BY DEPUTY CLERK

				For Court Use Only
Attorney or Party without Attorney: Joseph J. DePalma, Esq.				
Lite DePalma Greenberg & Rivas, LLC				1 1 1 1
Two Gateway Center, 12th Floor				
Newark, NJ 07102				
Telephone No: 973-623-3000 FAX N	io: 973-623-0858			
		Ref. No. or File No.:		
Attorney for: Plaintiff				
Insert name of Court, and Judicial District and Bran	ch Court:			
United States District Court - District of	New Jersey			
Plaintiff: Mark Golding, et al.				
Defendant: Menu Foods Limited, et al.				
AFFIDAVIT OF SERVICE	Hearing Date:	Time:	Dept/Div:	Case Number:
Summons/Complaint				07CV1521(NLH)
2. I served copies of the Summons in a C	ivil Action; Class A	ction Complaint;	Civil Case Cove	r Sheet; Certificate of Non-Arbitrabili
 I served copies of the Summons in a C a. Party served: b. Person served: 	Menu F	ction Complaint; oods South Dako Scala, Person Au	ia, Inc.	
3. a. Party served:	Menu F Scott Le The Cot 1209 O	oods South Dako	ta, Inc. thorized to Acce	
3. a. Party served: b. Person served: 4. Address where the party was served: 5. I served the party:	Menu F Scott Le The Cor 1209 O Wilmin	oods South Dako Scala, Person Au poration Trust Co range Street gton, DE 19801	ta, Inc. thorized to Acce ompany	ept Legal Process
3. a. Party served: b. Person served: 4. Address where the party was served:	Menu F Scott Li The Cor 1209 O Wilmin elivered the docume	oods South Dako aScala, Person Au approaction Trust Co arange Street gton, DE 19801 ents listed in item	ta, Inc. thorized to Acce ompany	ept Legal Process
 a. Party served: b. Person served: Address where the party was served: I served the party: a. by personal service. I personally deprocess for the party (1) on: Mon., N 	Menu F Scott Li The Cor 1209 O Wilmin elivered the docume	oods South Dako aScala, Person Au reporation Trust Co range Street gton, DE 19801 ents listed in item : 1:26PM	ta, Inc. thorized to Accompany 2 to the party or for Service:	pt Legal Process person authorized to receive service of
 a. Party served: b. Person served: Address where the party was served: I served the party: a. by personal service. I personally decomposition 	Menu F Scott Li The Cor 1209 O Wilmin elivered the docume	oods South Dako aScala, Person Au reporation Trust Co range Street gton, DE 19801 ents listed in item : 1:26PM	ta, Inc. thorized to Accompany 2 to the party or for Service: nder penalty of	person authorized to receive service of
 a. Party served: b. Person served: Address where the party was served: I served the party: a. by personal service. I personally deprocess for the party (1) on: Mon., No., No. Person Who Served Papers: 	Menu F Scott Li The Cor 1209 O Wilmin elivered the docume	oods South Dako aScala, Person Au reporation Trust Co range Street gton, DE 19801 ents listed in item : 1:26PM	ta, Inc. thorized to Accompany 2 to the party or for Service: nder penalty of	pt Legal Process person authorized to receive service of
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DENNIS SCHOFIELD NOTARY PUBLIC STATE OF DELAWARE My Commission Expires Nov. 24, 2007

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